

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

CR-16-83-GF-BMM

Plaintiff,

Order

vs.

THOMAS LEE SCOTT,

Defendant.

On May 15, 2017, Defendant Thomas Scott appeared before the Court on a motion to revoke his pretrial release supported by an affidavit alleging he violated conditions of his release. (Doc. 22.) The petition alleges that on April 17, 2017, Mr. Scott was a passenger in a vehicle that was stopped for driving erratically. (*Id.*) Mr. Scott submitted a breath sample that showed that his BAC was .05. (*Id.*) Officers cited Mr. Scott for Minor in Consumption of Alcohol. (*Id.*)

The Court advised Mr. Scott of his rights relative to the petition. He waived his right to a hearing on the motion and admitted to the allegations.

The United States requested that Mr. Scott be detained pending further proceedings. Defendant did not oppose his detention.

Under 18 U.S.C. § 3148(b)(1), and based on the record in this case, the Court finds there is clear and convincing evidence demonstrating that Mr. Scott

violated a condition of his release as alleged in the petition. Based on Mr. Scott's conduct while on pretrial release, the Court finds he is unlikely to abide by any condition or combination of conditions if the Court were to continue him on pretrial release.

Thus, under 18 U.S.C. § 3148(b), **IT IS HEREBY ORDERED** that Mr. Scott's pretrial release is **REVOKED**, and he is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Mr. Scott shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated the 23rd day of May 2017.



John Johnston
United States Magistrate Judge